

03-25-'15 13:28 FROM- PR&amp;A

1-609-452-8796

T-579 P0002/0020 F-434

Attorney(s): PELLETTIERI, RABSTEIN AND ALTMAN

Office Address &amp; Tel. No.: 100 Nassau Park Blvd., Suite 111, CN 5301, Princeton, NJ 08543-5301, (609) 520-0900

Attorney(s) for Plaintiff(s)

|                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>MARTIN KRATZ, EXECUTOR for the Estate of<br/>GLADYS KRATZ, Deceased, and MARTIN<br/>KRATZ, individually,</p> <p style="text-align: center;">Plaintiff(s)</p> <p>vs.</p> <p>LINWOOD CARE CENTER, REVERA HEALTH<br/>SYSTEMS, et als,</p> <p style="text-align: center;">Defendant(s)</p> | <p>SUPERIOR COURT OF NEW JERSEY<br/>LAW DIVISION - ATLANTIC COUNTY<br/>DOCKET NO.: ATL-L-615-15</p> <p style="text-align: center;">Civil Action</p> <p style="text-align: center;"><b>SUMMONS</b></p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

From the State of New Jersey, to The Defendant(s) Named Above:

**REVERA HEALTH SYSTEMS**

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625. A filing fee\* payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services Office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

/s/ Elizabeth Ann Strom  
SUPERIOR COURT CLERK

Dated: 3/25/15

Name of Defendant to be served: Revera Health Systems  
Address for Service: 538 Preston Ave., Suite 270  
Meriden, CT 06450

**\*\* \$105.00 FOR CHANCERY DIVISION CASES OR \$110.00 FOR LAW DIVISION CASES**

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**Atlantic County Court Building**  
1201 Bacharach Boulevard  
Atlantic City, NJ 08401  
609-345-6700  
Lawyer Referral Service  
609-345-3444

65 Park Avenue  
Flemington, NJ 08822  
908-237-5800  
Lawyer Referral Service  
908-735-2611

118 Washington Street  
Toms River, NJ 08754  
732-244-2121  
Lawyer Referral Service  
732-240-3666

**Bergen County Justice Center**  
10 Main Street  
Hackensack, NJ 07601  
201-527-2700  
Lawyer Referral Service  
201-488-0044

**Gloucester County Courthouse**  
1 North Broad Street  
Woodbury NJ 08096  
856-853-3200  
Lawyer Referral Service  
Justice Complex, P.O. Box 338  
Woodbury NJ 08096  
856-848-4589

**Salem County Courthouse**  
92 Market Street  
Salem, NJ 08079  
856-935-7510  
Lawyer Referral Service  
856-935-5629

**Burlington County Court Facility**  
49 Rancocas Road  
Mount Holly, NJ 08060  
609-518-2600  
Lawyer Referral Service  
609-261-4862

**Hudson County Administration Building**  
595 Newark Avenue  
Jersey City, NJ 07306  
201-795-6000  
Lawyer Referral Service  
201-798-2727

**Passaic County Court House**  
77 Hamilton Street  
Paterson, NJ 07505-2017  
973-247-8000  
Lawyer Referral Service  
973-278-9223

**Camden County Hall of Justice**  
101 South Fifth Street  
Camden, NJ 08103  
856-379-2200  
Lawyer Referral Service  
856-964-4520

**Mercer County Courthouse**  
209 South Broad Street  
Trenton, NJ 08650  
609-571-4000  
Lawyer Referral Service  
609-585-6200

**Somerset County Courthouse**  
North Bridge Street  
Somerville, NJ 08876-1262  
908-231-7191  
Lawyer Referral Service  
908-685-2323

**Cape May County Courthouse**  
9 North Main Street  
Cape May Court House, NJ 08210  
609-465-1000  
Lawyer Referral Service  
609-463-0313

**Middlesex County Courthouse**  
56 Paterson Street  
New Brunswick, NJ 08903-0964  
732-519-3200  
Lawyer Referral Service  
732-828-0053

**Sussex County Judicial Center**  
43-47 High Street  
Newton, NJ 07860  
973-579-0675  
Lawyer Referral Service  
973-267-5882

**Cumberland County Courthouse**  
Broad & Fayette Streets  
Bridgeton, NJ 08302  
856-451-8000  
Lawyer Referral Service  
856-692-6207

**Monmouth County Courthouse**  
71 Monument Park  
Freehold, NJ 07728-1266  
732-677-4300  
The Lawyer Referral Service  
732-431-5544

**Union County Courthouse**  
2 Broad Street  
Elizabeth, NJ 07207  
908-659-4600  
Lawyer Referral Service  
908-353-4715

**Essex County Veterans Courthouse**  
50 West Market Street  
Newark, NJ 07102  
973-693-5701  
Lawyer Referral Service  
973-622-7753

**Morris County Courthouse**  
Washington & Court Streets  
Morristown, NJ 07963-0910  
973-656-4000  
Lawyer Referral Service  
973-267-5882

**Warren County Courthouse**  
413 Second Street  
Belvidere, NJ 07823  
908-475-6161  
Lawyer Referral Service  
973-267-5882

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PELLETTIERI, RABSTEIN AND ALTMAN  
 Sherri L. Warfel, Esquire  
 Attorney ID# 015181998  
 100 Nassau Park Boulevard, Suite 111  
 Princeton, New Jersey 08543-5301  
 (609) 520-0900  
 Attorneys for Plaintiff

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MAR 12 2015

ATLANTIC COUNTY  
 LAW DIVISION

MARTIN KRATZ, EXECUTOR For the  
 Estate of GLADYS KRATZ, Deceased,  
 and MARTIN KRATZ, individually,

Plaintiff,

v.

LINWOOD CARE CENTER, REVERA  
 HEALTH SYSTEMS, ABC, INC. (1-10);  
 JOHN DOE, (1-10) and JANE DOE, R.N.  
 (1-10) said names; ABC, Inc. John Doe  
 and Jane Doe, being fictitious, jointly,  
 individually, and in the alternative

Defendants.

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION - ATLANTIC COUNTY  
 DOCKET NO.: ATL-L-615-15

CIVIL ACTION

COMPLAINT  
 AND  
 JURY DEMAND

Plaintiff, MARTIN KRATZ, as Executor of the Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, residing at 244 Leedom Way, in the Township of Newtown, County of Bucks and State of Pennsylvania, by way of complaint against the defendants says:

### FIRST COUNT

1. At all times relevant hereto, Defendant, LINWOOD CARE CENTER, is a company and/or corporation in the business of caring for the elderly and infirm, with a principal place of business located at 201 New Road, in the City of Linwood, County of Atlantic and State of New Jersey.

2. At all times relevant hereto, Defendant, LINWOOD CARE CENTER, held itself out as a specialty facility in the field of nursing care, with expertise necessary to maintain the health and safety of persons unable to care adequately for themselves. In addition, Defendant held itself out to the public to possess physicians, nurses, staff, employees and/or agents with sufficient knowledge, training, skill and expertise to make, furnish and provide proper medical care, diagnosis, examination, and treatment for valuable consideration.

3. At all times relevant hereto, Defendant, REVERA HEALTH SYSTEMS, is a company and/or corporation in the business of caring for the elderly and infirm, with a corporate office located at 538 Preston Avenue, Suite 270, in the City of Meriden and State of Connecticut. Defendant, REVERA HEALTH SYSTEMS, maintains several principal places of business in the State of New Jersey, including Defendant, LINWOOD CARE CENTER, amongst others located in the cities of Toms River, Passaic, Brick, Williamstown, Neptune, Wayne, Whiting and Somerset.

4. At all times relevant hereto, Defendant, REVERA HEALTH SYSTEMS, held itself out as a specialty facility in the field of nursing care, with expertise necessary to maintain the health and safety of persons unable to care adequately for themselves. In addition, Defendant held itself out to the public to possess physicians, nurses, staff, employees and/or agents with sufficient knowledge, training, skill and expertise to make, furnish and provide proper medical care, diagnosis, examination, and treatment for valuable consideration.

5. At all times relevant hereto, defendants JOHN DOE (1-10), JANE DOE RN (1-10), and ABC, INC. (1-10), said names John Doe, Jane Doe and ABC, Inc., being fictitious, individually and/or as agents, servants, or employees of LINWOOD CARE

CENTER and/or REVERA HEALTH SYSTEMS, were and are duly licensed in the medical field to care for the Plaintiff, holding themselves out to the public to possess sufficient knowledge, training, skill and expertise to make, furnish and provide proper medical care, diagnosis, examination, and treatment for valuable consideration. Said names are fictitious, real names unknown, and are descriptive of those individual medical professionals who may have been involved in the Plaintiff's medical care, diagnosis, examination, rehabilitation and treatment and whose names are not legible, decipherable, or clear, and whose involvement is not presently discoverable, known, or clearly set forth in the treatment records of Plaintiff.

6. On or about April 1, 2013, Plaintiff's decedent, GLADYS KRATZ, began a course of medical treatment during which she developed a post-surgical infection which progressed while she was a patient at defendants facilities resulting in great pain, suffering and disability, and which ultimately contributed to her death in August 2013.

7. All of the aforementioned defendants were negligent and careless in providing care and treatment to Plaintiff's decedent.

8. As a direct and proximate cause of the negligence of Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC (1-10), JOHN DOE (1-10), and JANE DOE, RN (1-10), said names ABC, Inc., John Doe and Jane Doe being fictitious, individually and/or as agents, servants, or employees of LINWOOD CARE CENTER and/or REVERA HEALTH SYSTEMS, Plaintiff's decedent, GLADYS KRATZ, suffered from a post-surgical infection while a patient at Defendants' facilities resulting in great pain, suffering, disability, and ultimately contributing to her death in August 2013.

**WHEREFORE**, Plaintiff, MARTIN KRATZ, Executor For The Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, demands judgment against the

Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC, INC. (1-10), JOHN DOE (1-10) and/or JANE DOE, RN, (1-10), said names ABC, Inc, John Doe and Jane Doe, RN, being fictitious, either jointly, severally, or in the alternative, for damages together with interests and costs of suit.

### SECOND COUNT

1. Plaintiff, MARTIN KRATZ, as Executor of the Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, repeats and realleges each and every paragraph of the First Count and makes the same a part hereto by reference therein.

2. At all times relevant hereto, Plaintiff's decedent, GLADYS KRATZ, came under the care and/or treatment of the Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC, INC. (1-10), JOHN DOE (1-10) and JANE DOE, RN (1-10), said names ABC, Inc., John Doe and Jane Doe being fictitious, individually and/or as agents, servants, or employees of defendants. Said defendants undertook and accepted the conditions and representations aforesaid to render and provide medical care to plaintiff for certain medical conditions.

3. The above named defendants were negligent and deviated from the appropriate standard of care or standard medical practice; were careless and failed to exercise the degree of knowledge, training, skill and expertise they were held out to possess; failed and neglected to heed the signs and symptoms that Plaintiff's decedent was exhibiting in the course of treatment; failed to administer and perform proper treatment necessary to safely and effectively treat Plaintiff's decedent's condition; failed to otherwise exercise due, proper and reasonable care in the treatment, care, rehabilitation, and convalescence of Plaintiff's decedent, and were otherwise careless and negligent in the medical care of Plaintiff's decedent.



4. As a direct and proximate result of the negligence of Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC (1-10), JOHN DOE (1-10) and JANE DOE, RN (1-10), said names ABC, Inc., John Doe and Jane Doe being fictitious, individually and/or as agents, servants, or employees of defendants, Plaintiff's decedent, GLADYS KRATZ, suffered from a post-surgical infection which progressed while she was a patient at Defendants' facilities resulting in great pain, suffering, disability, and ultimately contributing to her death in August 2013.

WHEREFORE, Plaintiff, MARTIN KRATZ, Executor For The Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, demands judgment against the Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC, INC. (1-10), JOHN DOE (1-10) and/or JANE DOE, RN, (1-10), said names ABC, Inc, John Doe and Jane Doe, RN, being fictitious, either jointly, severally, or in the alternative, for damages together with interests and costs of suit.

### THIRD COUNT

1. Plaintiff, MARTIN KRATZ, as Executor of the Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ individually, repeats and realleges each and every paragraph of the First and Second Counts and makes the same a part hereto by reference therein.

2. At all times relevant hereto, the negligence of Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC (1-10), JOHN DOE (1-10) and JANE DOE, RN (1-10), said names ABC, Inc., John Doe and Jane Doe being fictitious, individually and/or as agents, servants, or employees of defendants, included but is not limited to the following: failure to provide adequate and qualified staff to care for patient; failure to establish and implement an appropriate plan of care; failure to appreciate

medical conditions, signs and symptoms and treat them appropriately; failure to provide treatment to the patient that was within the applicable standard of care; failure to provide care pursuant to proper policies and procedures; failure to provide care in accordance with all State and Federal guidelines, rules, regulations and/or statutes governing such care of a patient, such as Plaintiff's decedent, at such a facility.

3. As a direct and proximate cause of Defendants' negligence, as well as that of its agents, officers, servants and/or employees, Plaintiff's decedent, GLADYS KRATZ, suffered from a post-surgical infection which progressed while she was a patient at Defendants' facilities resulting in great pain, suffering, disability, and ultimately contributing to her death in August 2013.

**WHEREFORE**, Plaintiff, MARTIN KRATZ, Executor For The Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, demands judgment against the Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC, INC. (1-10), JOHN DOE (1-10) and/or JANE DOE, RN, (1-10), said names ABC, Inc, John Doe and Jane Doe, RN, being fictitious, either jointly, severally, or in the alternative, for damages together with interests and costs of suit.

#### **FOURTH COUNT**

1. Plaintiff, MARTIN KRATZ, as Executor of the Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, repeats and realleges each and every paragraph of the first Three Counts and makes the same a part hereto by reference therein.

2. At all times relevant hereto, the Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC (1-10), JOHN DOE (1-10) and JANE DOE, RN (1-10), said names ABC, Inc., John Doe and Jane Doe being fictitious, individually and/or



as agents, servants, or employees of Defendants, violated regulations which establish a minimum standard of care to be followed by such defendants in the care of patients, such as Plaintiff's decedent, including, but not limited to regulations set forth in 42 C.F.R. § 483 et. seq.

3. As a result of said violations by the Defendants, Plaintiff asserts a claim for negligence per se claiming that as a matter of law, the conduct of the Defendants amounted to negligence.

4. As a direct and proximate cause of Defendants' negligence as aforesaid, Plaintiff's decedent, GLADYS KRATZ, suffered from a post-surgical infection which progressed while she was a patient at defendants facilities resulting in great pain, suffering, disability, and ultimately contributing to her death in August 2013.

**WHEREFORE**, Plaintiff, MARTIN KRATZ, Executor For The Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, demands judgment against the Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC, INC. (1-10), JOHN DOE (1-10) and/or JANE DOE, RN, (1-10), said names ABC, Inc, John Doe and Jane Doe, RN, being fictitious either jointly, severally, or in the alternative, for damages together with interests and costs of suit.

#### **FIFTH COUNT**

1. Plaintiff, MARTIN KRATZ, as Executor of the Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ individually, repeats and realleges each and every paragraph of the first Four Counts and makes the same a part hereto by reference therein.

2. At all times relevant hereto, the Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC (1-10), JOHN DOE (1-10) and JANE DOE, RN (1-

10), said names ABC, Inc., John Doe and Jane Doe being fictitious, individually and/or as agents, servants, or employees of defendants, violated provisions of N.J.S.A. 30:13, which establishes the minimum standard of care required of Defendants in treating patients, such as Plaintiff's decedent.

3. As a result of said violations by the Defendants, the Plaintiff, MARTIN KRATZ as Executor of the Estate of GLADYS KRATZ, deceased, and MARTIN KARTZ individually, asserts a claim for negligence per se claiming that as a matter of law, the conduct of the defendants amounted to negligence. Plaintiff further asserts a claim to recover reasonable attorney fees pursuant to the above statutory provisions.

4. As a direct and proximate cause of defendants' negligence as set forth above, Plaintiff's decedent, GLADYS KRATZ, suffered severe and serious personal injury, was forced to endure great physical pain and mental anguish, and became liable for extensive expenses for medical and hospital care and treatment.

**WHEREFORE**, Plaintiff, MARTIN KRATZ, Executor For The Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, demands judgment against the Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC (1-10), JOHN DOE (1-10) and JANE DOE, RN (1-10), said names ABC, Inc., John Doe and Jane Doe being fictitious, either jointly, severally, or in the alternative, for damages together with interests and costs of suit.

#### **SIXTH COUNT**

1. Plaintiff, MARTIN KRATZ, as Executor of the Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, repeats and realleges each and every paragraph of the first Five Counts and makes the same a part hereto by reference therein.

2. Plaintiff's decedent, GLADYS KRATZ, suffered from a post-surgical infection which progressed while she was a patient at Defendants' facilities. As a result of Defendants' negligence, Plaintiff's decedent was forced to endure great pain, suffering and disability, which ultimately contributed to her death in August 2013.

3. Pursuant to current Medicare / Medicaid guidelines, a serious injury such as avoidable post-surgical infections should not occur in a facility such as LINWOOD CARE CENTER and/or REVERA HEALTH SYSTEMS. A serious injury from negligence is considered a never event, or an event that should never occur in such a facility or healthcare setting.

**WHEREFORE**, Plaintiff, MARTIN KRATZ, Executor For The Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, demands judgment against the Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC (1-10), JOHN DOE (1-10) and JANE DOE, RN (1-10), said names ABC, Inc., John Doe and Jane Doe being fictitious, either jointly, severally, or in the alternative, for damages together with interests and costs of suit.

#### **SEVENTH COUNT**

1. Plaintiff, MARTIN KRATZ, as Executor of the Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, repeats and realleges each and every paragraph of the first Six Counts and makes the same a part hereto by reference therein.

2. Plaintiff's decedent suffered pain and premature death due to the negligence of the Defendants, and left surviving her those who suffered loss by her wrongful death as a result of Defendants' negligence.

3. This action is brought within the time constraint pursuant to statutes in such cases made and provided, including N.J.S.A. 2A:31-1, et. seq. Wrongful Death Act and N.J.S.A. 2A:15-3, et. seq. Survivorship Statute.

WHEREFORE, Plaintiff, MARTIN KRATZ, Executor For The Estate of GLADYS KRATZ, deceased, and MARTIN KRATZ, individually, demands judgment against the Defendants, LINWOOD CARE CENTER, REVERA HEALTH SYSTEMS, ABC (1-10), JOHN DOE (1-10) and JANE DOE, RN (1-10), said names ABC, Inc., John Doe and Jane Doe being fictitious, either jointly, severally, or in the alternative, for damages together with interests and costs of suit.

**JURY DEMAND**

Plaintiff hereby requests a trial by jury as to all issues.

PELLETTIERI RABSTEIN & ALTMAN  
Attorneys for plaintiff

\_\_\_\_\_  
SHERRI L. WARFEL, ESQUIRE

**NOTICE OF DESIGNATION OF TRIAL COUNSEL**

Plaintiff hereby designates, Sherri L. Warfel, Esq., as trial counsel for the within matter.

PELLETTIERI RABSTEIN & ALTMAN  
Attorneys for plaintiff

\_\_\_\_\_  
SHERRI L. WARFEL, ESQUIRE

**CERTIFICATION PURSUANT TO R. 4:5-1**

To the best of my knowledge, information and belief, there is no other action pending about the subject matter of this Complaint in the Superior Court of New Jersey, Law Division, Atlantic County. Additionally, there are no other persons known to me at this time who should be added to this matter, nor are there any other actions contemplated. I hereby certify that the foregoing statements made by me are true to the best of my knowledge. I hereby certify that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

PELETTIERI RABSTEIN & ALTMAN  
Attorneys for plaintiff

\_\_\_\_\_  
SHERRI L. WARFEL, ESQUIRE

**DEMAND FOR ANSWERS TO FORM C INTERROGATORIES**

Pursuant to R. 4:17-1, Plaintiffs hereby demand that each defendant herein supply answers to Form C interrogatories within 60 days of service of the summons and complaint herein.

PELETTIERI RABSTEIN & ALTMAN  
Attorneys for plaintiff

\_\_\_\_\_  
SHERRI L. WARFEL, ESQUIRE

**DEMAND FOR AFFIDAVIT OF MERIT**

Pursuant to N.J.S.A. 2A:53A-26, et seq., the Plaintiffs hereby demand that any defendant herein who files a cross claim against any other defendant supply an Affidavit of Merit within 60 days after service of their answers, and serves same upon Plaintiffs.

PELLETTIERI RABSTEIN & ALTMAN  
Attorneys for plaintiff

  
\_\_\_\_\_  
SHERRIL WARFEL, ESQUIRE

**DEMAND FOR PRODUCTION OF DOCUMENTS**

Pursuant to Rule 4:18-1, Plaintiffs hereby demand that each defendant herein supply copies of all medical and/or hospital records, charts, x-rays and any other films, documents, memos, and reports pertaining to Plaintiff's decedent within 30 days from the service of this summons and complaint. This date cannot be extended as this material is needed in order for plaintiffs to comply with the Affidavit of Merit statute.

PELLETTIERI RABSTEIN & ALTMAN  
Attorneys for plaintiff

  
\_\_\_\_\_  
SHERRIL WARFEL, ESQUIRE

Dated: March 11, 2015





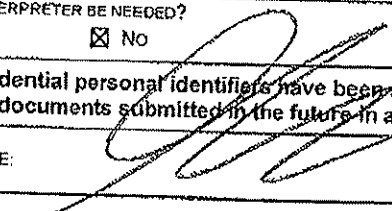


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## Appendix XII-B1

| CIVIL CASE INFORMATION STATEMENT (CIS)                                                                                                                                                                                                                                                                                                          |                                                                                                    | FOR USE BY CLERK'S OFFICE ONLY                                                                                                                                                                                                                        |                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
|  <p>Use for initial Law Division<br/>Civil Part pleadings (not motions) under Rule 4:5-1<br/>Pleading will be rejected for filing, under Rule 1:5-6(c),<br/>if information above the black bar is not completed<br/>or attorney's signature is not affixed</p> |                                                                                                    | PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA<br>CHG/CK NO. _____<br>AMOUNT: _____<br>OVERPAYMENT: _____<br>BATCH NUMBER: _____                                                                   |                             |
|                                                                                                                                                                                                                                                                                                                                                 |                                                                                                    |                                                                                                                                                                                                                                                       |                             |
|                                                                                                                                                                                                                                                                                                                                                 |                                                                                                    |                                                                                                                                                                                                                                                       |                             |
|                                                                                                                                                                                                                                                                                                                                                 |                                                                                                    |                                                                                                                                                                                                                                                       |                             |
| ATTORNEY / PRO SE NAME<br>Sherri L. Warfel, Esquire                                                                                                                                                                                                                                                                                             |                                                                                                    | TELEPHONE NUMBER<br>(609) 520-0900                                                                                                                                                                                                                    | COUNTY OF VENUE<br>Atlantic |
| FIRM NAME (if applicable)<br>Pellettieri, Rabstein and Altman                                                                                                                                                                                                                                                                                   |                                                                                                    | DOCKET NUMBER (when available)<br>ATL-L-                                                                                                                                                                                                              |                             |
| OFFICE ADDRESS<br>100 Nassau Park Blvd., Suite 111<br>Princeton, New Jersey 08540                                                                                                                                                                                                                                                               |                                                                                                    | DOCUMENT TYPE<br>Complaint                                                                                                                                                                                                                            |                             |
| NAME OF PARTY (e.g., John Doe, Plaintiff)<br>Martin Kratz, Administrator of the<br>Estate of Gladys Kratz, Plaintiff                                                                                                                                                                                                                            |                                                                                                    | CAPTION<br>Kratz v. Linwood Care Center                                                                                                                                                                                                               |                             |
| CASE TYPE NUMBER<br>(See reverse side for listing)<br>604                                                                                                                                                                                                                                                                                       | HURRICANE SANDY<br>RELATED?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | IS THIS A PROFESSIONAL MALPRACTICE CASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO<br>IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW<br>REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT. |                             |
| RELATED CASES PENDING?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                                                                                   |                                                                                                    | IF YES, LIST DOCKET NUMBERS                                                                                                                                                                                                                           |                             |
| DO YOU ANTICIPATE ADDING ANY PARTIES<br>(arising out of same transaction or occurrence)?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                 |                                                                                                    | NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known)<br><input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN                                                                                                                 |                             |
| <b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.</b>                                                                                                                                                                                                                                                                |                                                                                                    |                                                                                                                                                                                                                                                       |                             |
| CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION                                                                                                                                                                                                                                                           |                                                                                                    |                                                                                                                                                                                                                                                       |                             |
| DO PARTIES HAVE A CURRENT, PAST OR<br>RECURRENT RELATIONSHIP?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                                            |                                                                                                    | IF YES, IS THAT RELATIONSHIP:<br><input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain)<br><input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS                  |                             |
| DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                       |                                                                                                    |                                                                                                                                                                                                                                                       |                             |
| USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR<br>ACCELERATED DISPOSITION                                                                                                                                                                                                      |                                                                                                    |                                                                                                                                                                                                                                                       |                             |
|  DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                            |                                                                                                    | IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION                                                                                                                                                                                                   |                             |
| WILL AN INTERPRETER BE NEEDED?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                                                                           |                                                                                                    | IF YES, FOR WHAT LANGUAGE?                                                                                                                                                                                                                            |                             |
| I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be<br>redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).                                                                                                                            |                                                                                                    |                                                                                                                                                                                                                                                       |                             |
| ATTORNEY SIGNATURE:                                                                                                                                                                                                                                          |                                                                                                    |                                                                                                                                                                                                                                                       |                             |

Side 2



# CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

## CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

### Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

### Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

### Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

### Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

### Multicounty Litigation (Track IV)

- |                                        |                                                           |
|----------------------------------------|-----------------------------------------------------------|
| 266 HORMONE REPLACEMENT THERAPY (HRT)  | 288 PRUDENTIAL TORT LITIGATION                            |
| 271 ACCUTANE/ISOTRETINOIN              | 289 REGLAN                                                |
| 274 RISPERDAL/SEROQUEL/ZYPREXA         | 290 POMPTON LAKES ENVIRONMENTAL LITIGATION                |
| 278 ZOMETHA/AREDA                      | 291 PELVIC MESH/GYNECARE                                  |
| 279 GADOLINIUM                         | 292 PELVIC MESH/BARD                                      |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL | 293 DEPUY ASR HIP IMPLANT LITIGATION                      |
| 282 FOSAMAX                            | 295 ALLODERM REGENERATIVE TISSUE MATRIX                   |
| 284 NUVARING                           | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 285 STRYKER TRIDENT HIP IMPLANTS       | 297 MIRENA CONTRACEPTIVE DEVICE                           |
| 286 LEVAQUIN                           | 601 ASBESTOS                                              |
| 287 YAZ/YASMIN/OCELLA                  | 623 PROPECIA                                              |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category ☐ Putative Class Action ☐ Title 59

03-25-'15 13:34 FROM- PR&amp;A

1-609-452-8796

T-579 P0020/0020 F-434

ATLANTIC COUNTY COURT HOUSE  
SUPERIOR COURT LAW DIV  
1201 BACHARACH BLVD  
ATLANTIC CITY NJ 08401

COURT TELEPHONE NO. (609) 345-6700  
COURT HOURS 8:30 AM - 4:30 PM

## TRACK ASSIGNMENT NOTICE

DATE: MARCH 12, 2015  
RE: KRANTZ MARTIN VS LINWOOD CARE CENTER  
DOCKET: ATL L -000615 15

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON JAMES P. SAVIO

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002  
AT: (609) 594-3573.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.

## ATTENTION:

PRILETTIERI RABSTEIN & ALTMAN  
100 HASSAU PARK BLVD  
CN 5301  
PRINCETON NJ 08543

JUPAY